

Appl. No. 09/001,643
Amdt. dated September 30, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

REMARKS/ARGUMENTS

Claims 1-12 were pending in this application. No claims have been amended, added, or canceled. Hence, claims 1-12 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1-4 and 6-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the cited portions of U.S. Patent No. 5,710,900 to Anand, et al. (hereinafter "Anand") in view of the cited portions of U.S. Patent No. 6,058,170 to Jagadish, et al. (hereinafter "Jagadish").

Claims 5 and 12, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Anand in view of Jagadish as applied to claims 1 and 8, and further in view of the cited portions of U.S. Patent No. 5,930,764 to Melchoine, et al. (hereinafter "Melchoine").

Claim Rejections Under 35 U.S.C. § 103(a)

The Applicants respectfully traverse the rejection of claim 1 since the office action has not established a *prima facie* case of obviousness. Specifically, the office action has not cited a reference or references that teach all the claim limitations. Claim 1 recites a data manager arranged to "relate data maintained independently from the host site and input by a user with the user's billing and inventory data for display as part of a requested report, wherein at least a portion of the data maintained independently from the host computer site and input by the user is displayed as part of the requested report" (emphasis added). The office action correctly states that Anand does not teach this. The office action says that this teaching may be found in Jagadish. The Applicant's respectfully disagree.

First, nowhere does Jagadish teach *displaying* anything. Jagadish does not teach an "online terminal" or a "screen" as asserted by the office action. Jagadish teaches an "audio message" being "played to the customer," (abstract), but nowhere does Jagadish teach "data ... input by a user [that is] displayed as part of the requested report." Perhaps the office action assumes the "bill" referred to at Jagadish, 3:53-57, is somehow "displayed," but this is contrary to what Jagadish teaches at 4:53-55. At this location, Jagadish teaches generating a voice

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message and playing it to the caller. Thus, Jagadish does not teach the claim limitation, and to say otherwise simply credits Jagadish with teaching something it clearly does not.

Further, despite the clever line of reasoning in the office action, Jagadish does not teach data "input by the user." How does the user input the data? There is no means, other than the calling telephone 102 or calling station 152, by which the user could input the data, but Jagadish does not teach using these devices in this way. The Applicant concedes that data *could* be input by the user in the teachings of Jagadish, but it is well settled that the reference must actually teach the limitation and not simply allow for the possibility.

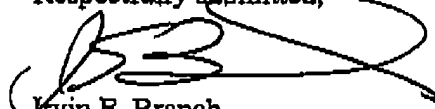
Thus, for at least the foregoing reasons, claim 1 is believed to be allowable. Claim 8 includes similar limitations and the Applicants believe claim 8 is allowable for similar reasons. The remaining claims depend from either of claim 1 or 8 and are believed to be allowable at least for the reasons stated above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



Irvin E. Branch
Reg. No. 42,358

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
IEB:arl
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